
OLR Bill Analysis

HB 5482

AN ACT CONCERNING PUBLIC HOUSING GRIEVANCE PROCEDURES.

SUMMARY:

This bill extends to housing authorities that previously received state assistance a requirement to implement tenants' rights and grievance procedures (see BACKGROUND). In practice, the Department of Housing (DOH) (formerly the Department of Economic and Community Development) already requires these authorities to implement the procedures.

Since October 1, 2000, the law has required (1) housing projects that presently receive state assistance and (2) moderate-income rental housing or elderly housing that the Connecticut Housing Finance Authority (CHFA) or its subsidiary owns, and that a housing authority previously owned, to implement the procedures.

Since that date, the law has required DOH to adopt regulations establishing uniform minimum standards for tenants' rights and grievance procedures, but, to-date, none have been adopted. If on October 1, 2014, regulations still have not been adopted, the bill requires the commissioner to submit a report to the Housing Committee on that date detailing the reasons why.

The law, unchanged by the bill, requires a housing authority, or CHFA or its subsidiary, to use uniform grievance procedures if it operates both federally and state-funded housing projects.

The bill also makes a technical change.

EFFECTIVE DATE: July 1, 2014

BACKGROUND

State Rights and Grievance Procedures

State law requires housing authorities receiving state assistance, and CHFA or its subsidiary when either is the successor owner of moderate-income rental housing or housing for elderly people previously owned by a housing authority, to:

1. provide their tenants with a written lease,
2. adopt a procedure for hearing tenant complaints and grievances,
3. adopt procedures for tenants to comment on proposed housing authority policy and procedure changes, and
4. encourage tenant participation in the housing authority's operation of state housing programs.

Federal Grievance Procedures

Federal regulations require housing authorities operating federally funded housing projects to adopt grievance procedures giving tenants the opportunity for a hearing. The authorities must include these procedures, or refer to them, in the lease. They must also give tenants at least 30 days notice before changing the procedures and provide an opportunity for written comments.

Under the procedures, a tenant must present his or her grievance in person or in writing to the authority to see if the parties can resolve the dispute informally without a hearing. The authority must make a written record of the meeting and send a copy to the tenant.

If a tenant is not satisfied with the outcome of the meeting, he or she may submit a written request for a hearing stating the reason for the grievance and the relief he or she seeks. In that case, the authority appoints a hearing officer or hearing panel in the manner the grievance procedures specify and must comply with the decision. The decision does not block the tenant from taking legal action (24 CFR 966. 51 et seq.).

COMMITTEE ACTION

Housing Committee

Joint Favorable

Yea 10 Nay 0 (03/11/2014)